

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| RICARDO RODRIGUEZ, <i>individually and on behalf</i> | : | |
| <i>of others similarly situated,</i> | : | |
| | : | |
| Plaintiff, | : | |
| | : | 22-CV-703 (VEC) |
| -against- | : | |
| | : | <u>ORDER</u> |
| | : | |
| ALED TECHNOLOGIES INC., ANATOLY | : | |
| LEDNYAK, | : | |
| | : | |
| Defendants. | : | |
| ----- | X | |

VALERIE CAPRONI, United States District Judge:

WHEREAS on January 28, 2022, Plaintiff Ricardo Rodriguez filed a complaint against Aled Technologies Inc. and Anatoly Lednyak, alleging violations of the Fair Labor Standards Act and New York Labor Law arising from his alleged employment by Defendants, Dkt. 5;

WHEREAS on February 23, 2022, the Court referred this matter to mediation, Dkt. 14;

WHEREAS the first mediation session was scheduled for March 31, 2022;

WHEREAS the parties did not participate in the mediation session; and

WHEREAS on April 4, 2022, Mr. Rodriguez's counsel, Lina Stillman, moved to withdraw as Plaintiff's attorney, citing irreconcilable differences between Mr. Rodriguez and herself, Dkts. 17–19; and

WHEREAS Ms. Stillman has informed the Court that her law firm will not be asserting any type of retaining or charging lien over this case, Dkt. 18 ¶ 9.

IT IS HEREBY ORDERED that Mr. Rodriguez must respond to Ms. Stillman's request to withdraw as his attorney by no later than **Friday, April 29, 2022**. Mr. Rodriguez must inform the Court whether he objects to Ms. Stillman's withdrawal as his counsel. If Mr. Rodriguez does

object to Ms. Stillman's withdrawal as counsel, the Court will schedule a hearing on the matter. If Mr. Rodriguez does not object to the withdrawal, the Court will grant Ms. Stillman's motion to withdraw. If Mr. Rodriguez does not object, he must also indicate whether he plans to proceed with this case *pro se* (without representation) or whether he plans to retain new private counsel. Mr. Rodriguez must mail his response to the following address: Judge Valerie Caproni, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007.

IT IS FURTHER ORDERED that if Mr. Rodriguez does not respond to the Court's order by the April 29, 2022 deadline, the Court will grant Ms. Stillman's motion to withdraw and will assume that Mr. Rodriguez is no longer interested in prosecuting this case. The Court will then dismiss this matter without prejudice.

IT IS FURTHER ORDERED that Ms. Stillman must serve a copy of this Order and her motion to withdraw (Dkts. 17–19) on Mr. Rodriguez via mail, email, and text message, and file proof of such service on the docket, by no later than **Friday, April 8, 2022**.

SO ORDERED.

Date: April 5, 2022
New York, NY



VALERIE CAPRONI
United States District Judge